



# **Child Welfare Reform in Romania: Abandonment and De-Institutionalization, 1987-2000**



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## Foreword

The **purpose** of this report is to document the levels of child abandonment and de-institutionalization as an indicator of the quality of social transformation during the transition decade (1990-2000).

The **comparative advantage** of this report is the scope and quality of the data on which results are based. The findings presented are drawn from empirical data collected from *leagans*/placement centers in 10 counties.<sup>1</sup> Non-personal identifiable information on over 21,000 children in *leagans* between 1987 and 2000 was transcribed from register archives. Information on each child includes the date of birth, date of entry in and date of exit out of the *leagan*, destination upon exit, and reason for admission in *leagan*. Analysis of these data reveals detailed trends in child abandonment and de-institutionalization not only within the decade of reforms, but also compared to pre-transition levels.

The following presentation is **oriented towards** policymakers, experts in non-governmental organizations, local authorities, and other stakeholders in Romania's child welfare reform. The information is showcased in a series of figures so that distinct topics may be selected independently and used to facilitate more in-depth discussion.

This report has certain **limitations**. Because its main objective is to document the impact of child welfare reform, details regarding specific programs are absent. The astute reader will interpret the data in reference to his or her experiences. The findings are expected to challenge, reinforce or enhance the knowledge that child welfare authorities have accumulated.

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The opinions and findings expressed herein are not necessarily those of the U.S. Department of Health and Human Services or the U.S. Agency for International Development.

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<sup>1</sup> The 10 counties in the sample represent each of the development regions (except Bucharest) defined in the *Cartea Verde* (GOR/European Commission, 1997), plus three USAID pilot counties.

<b>Table of Contents</b>	<b>Page</b>
I. Introduction	1
a. Historical context	2
b. Regional context	3
c. Regional Fertility Rates	4
II. Conceptual framework	5
III. Child abandonment	
a. Numbers of abandoned children	7
b. Rates of abandonment	8
IV. Children staying in the institution	
a. Children's tenure in <i>leagans</i>	9
b. Children transferred within the institutional system	10
V. De-institutionalization	
a. Entries v family placements	11
b. Family placement destinations	12
c. International adoptions	14
d. National adoptions	15
e. Placement in foster families	16
Afterword	17
References	18

## Introduction

### Romania's Social Transformation is from a Child Right's Angle

Romania's strict pro-natalist regime from 1966 through 1989 continues to have repercussions on children throughout the transition period.<sup>2</sup> The risks of implementing massive social and economic changes the past decade have been particularly intense for children (Cornia & Danziger, 1997; Zouev, 1999). Efforts to reverse reliance on large-scale residential institutions for children have not kept up with the disintegration of family ties and transition poverty resulting in tenaciously high levels of abandonment.

The appalling living conditions unveiled in child institutions at the beginning of the transition have turned the focus of human rights to children in difficulty. A child in difficulty is defined broadly as one whose physical or moral development is endangered, including any child deprived of a family environment. The welfare of these children is the meter on which social transformation is gauged. As Romania proceeds on the road to EU accession, the primary political criteria<sup>3</sup> in the Accession Partnership is to undertake full reform of the child welfare system (section 4.1) and improve living conditions for institutionalized children (section 4.2).

The framework for ensuring child rights is primarily outlined in the UN Convention on the Rights of the Child. The Convention, which Romania was one of the first nations to ratify on 28 September 1990, is the first among several international accords on which Romania has based an increasingly integrated legislative platform for child rights.

The overriding notion in the Convention is that any decision regarding children must be made in the best interest of the child. Romania has positioned this as

the pivotal principle in defining child welfare reforms. There has been mixed success in implementing reforms.

Child welfare reform in Romania has not been a straight trajectory towards bringing an end to excessive institutionalization. In order to interpret trends more easily spanning the period from 1987 to 2000, three distinct reform periods,<sup>4</sup> and a pre-reform period, are defined:

- The ***Pre-reform period (1987-1989)*** provides baseline data prior to political changes in the transition period.  
Legislative centerpiece: Law no. 3/1970 promoting large-scale residential care institutions.
- The first reform period is the ***Rapid reparation period I (1990-1991)***; it is characterized by an exodus of children to foreign adoptive families.  
Legislative centerpiece: Law no. 11/1990 giving consent for foreign adoptions.
- The second reform period is the ***Reorganization period II (1992-1996)***. It is characterized by uncoordinated legislation attempting to, on one hand, restrict foreign adoptions and, on the other hand, implement mechanisms for foreign adoptions.  
Legislative centerpieces: Law no. 49/1991 placing a moratorium on foreign adoptions; Law no. 47/1993 defining the judicial declaration of abandonment; Law no. 84/1994 adopting articles in the Hague Convention on Child Protection and Cooperation in the Area of Adoptions.
- The third reform period is the ***Real reform period III (1997-2000)***. It is characterized by efforts to operationalize principles in the Convention, promote alternatives to institutionalization, and decentralize child protection authority.  
Legislative centerpieces: Emergency Ordinance no. 26/1997 (Law no. 108/1998) regarding alternatives for children in difficult situations; Emergency Ordinance no. 25/1997 (Law no. 87/1998) specifying an ethical code for adoptions.

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<sup>2</sup> The terms "transition period," "transition decade," or simply "transition" are used interchangeably to refer to the shift from a former communist rule to a democratic, free market society.

<sup>3</sup> Political criteria established in 1993 by the Copenhagen European Council indicates that "membership requires that the candidate country has achieved stability of institutions guaranteeing democracy, the rule of law, human rights, and respect for the protection of minorities." The issue of child protection is a matter of human rights under the Copenhagen criteria governing EU entry.

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<sup>4</sup> The definition of reform periods is adapted mainly from works by Filipescu (1998) and Roth (1999).

## Historical context

Romania, like many Western European countries, has a history of child abandonment and institutionalization throughout the 19<sup>th</sup> century. The difference is that the Western European countries closed their institutions after World War II while institutions in Romania burgeoned during decades of communist rule.

### 30 years of expanding institutions...

The Soviet-style child protection law<sup>5</sup> in effect from 1970 until 1997 favored State care of children in institutions above other alternatives. With the diffusion of large-scale institutions and the State acting as *pater familias*, the social work profession was deemed anti-ideological and abolished in 1969. As a result, Romania has had to cope with disproportionately high levels of institutionalization and underdeveloped alternatives such as adoption and foster families.

Figure 1 shows that the number of *leagans*<sup>6</sup> and the number of beds available for children have climbed steadily since the harsh decades of communist rule. Between 1965 and 1988 thirty-two new *leagans* were built. Official rhetoric stated that the purpose of these new constructions was to play a "humanitarian role" in assisting orphans and abandoned children (Ciobanete, 1988). They were also part of the "building of socialism."<sup>7</sup>

<sup>5</sup> The child protection Law no. 3/1970 was created following implementation of the pro-natalist law in 1966, after which growing numbers of children needed protection measures. This law defined categories of children by age and productivity potential, promoting "specialized institutions" for each category.

<sup>6</sup> A "leagan" was a state-run residential care institution under the direction of the Ministry of Health, organized for the protection of orphans and abandoned children age 0-3 years. Since 1997 *leagans* and other child institutions have been restructured into "placement centers" whose main function is to offer protection and care to children in an environment that is similar to a natural family setting. In this study the term *leagan* is used to denote the original meaning as well as those transformed into placement centers for infants and young children.

<sup>7</sup> For a thorough discussion on Ceausescu's strategies to build socialism, see Kligman (1998).

### Government strategy concerning the child in difficulty (2001-2004) aims for:

"...a decrease in the number of residential care institutions and the closing down of those that, for various reasons, cannot be restructured in order to create a family-type environment";

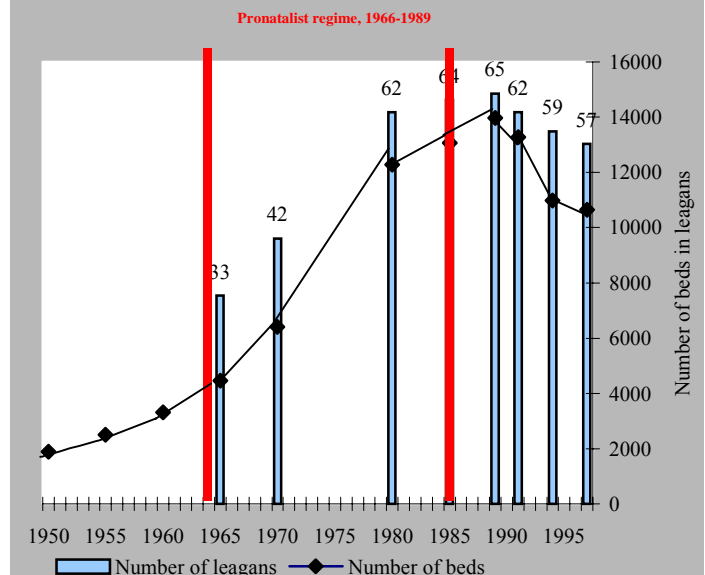
*Expected result (c)*

In just one decade following implementation of the pro-natalist policy in October 1966, the number of beds in *leagans* more than doubled (from 4452 beds in 1966 to 11047 beds in 1976).

### ... are not likely to reverse in 10 years

Decreasing the number of physical asylums for children is one approach to decreasing the number of children. In the seven years following the onset of transition, eight *leagans* were closed and the number of beds available for children decreased for the first time. However, closing institutions alone is not a successful strategy. Roughly the same number of children continued to enter *leagans* until the Real reform period began in 1997.

Figure 1. Reported numbers of *leagans*, 1965-1997 and reported number of beds in *leagans*, 1950-1997



Sources: Romanian National Commission for Statistics (1995,1999); Data for 1965 from Ciobanete (1988).

## Regional context

Child abandonment<sup>8</sup> is an enduring problem among post-socialist countries in Central and Eastern Europe. Excessive institutionalization prior to 1990 reflected the communist philosophy of collective upbringing and social support schemes that offered just one option for families unprepared to raise a child at home: institutionalization. For much of the transition decade, poverty and social instability has perpetuated and even exacerbated the crisis.

### Romania has the second highest abandonment rates after Bulgaria

Bulgaria has consistently higher rates of child abandonment than Romania, but rates in Romania increased twice as fast as those in Bulgaria between 1989 and 1994 (44% and 21%, respectively). Widespread attention to Romania's situation resulted in minor improvements in the second half of the decade. From 1994 to 1998, abandonment rates in Romania dropped 28% while those in Bulgaria were still increasing by 17% (Figure 2).

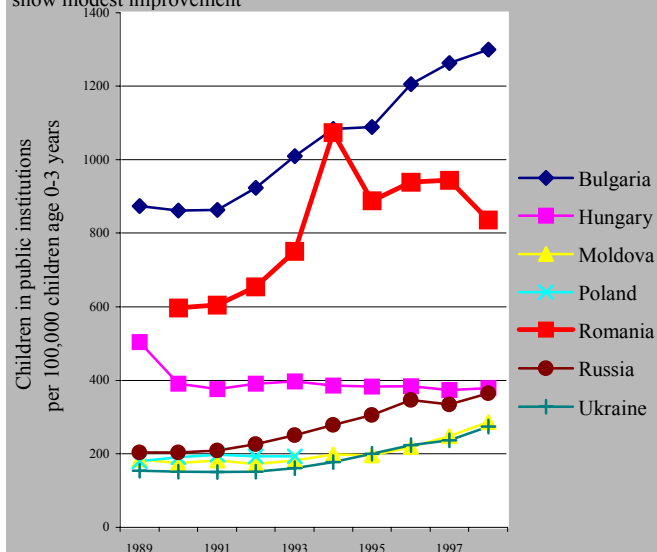
A spike appears in Romania's abandonment rates in 1994: rates consistently rise from 1990 until peaking sharply at almost 1,100 per 100,000 children, then they drop suddenly to about 890 per 100,000 in 1995. The distinct increase in the number of children in institutions from 1990 to 1994 is positively correlated with increasing unemployment (in 1994 there were only 78.9% of the total number of wage earners in 1990), low wages, and a drop in child allowance from 2.9% of GDP in 1990 to only 0.7% in 1995 (Zamfir, 1998).

Abandonment rates drop rather unexpectedly, but only briefly, after 1994. This is probably the effect of Law no. 47/1993, the judicial declaration of abandonment. This law manifests the *notion of disinterest* by stipulating a 6-month period after which a child may be declared legally abandoned if not visited by a family member. A legal declaration of abandonment disposes the child for placement in an adoptive or foster family. In 1994 it is likely that many children were suddenly made available for family placements and left the *leagan*. Or parents, fearing that their familial bond may be officially

severed, hastened to reclaim their child from the institution.

Figure 2. Institutionalization rates for children age 0-3 years, in 7 Central and Eastern European transition countries, 1989-1998.

Abandonment rates in Romania catch up with Bulgaria in 1994, then show modest improvement



Source: UNICEF TransMONEE Project (2000).

<sup>8</sup> For the purposes of this report, the term "child abandonment" refers to a child who lives separated from his or her parents in a state-run residential care institution.

## Regional fertility rates

### Reduction in the number of births outpaces the reduction in the number of abandoned infants

The government of Romania promotes family planning and contraceptive education as one strategy to prevent abandonment (CRIPS, 2000). According to national estimates, more than twice as many women in 1999 than in 1993 have access to and are using family planning methods (14% to 30%, respectively) (CDC, 2001).

However, despite declining fertility rates in Central and Eastern Europe (Figure 3), the proportion of institutionalized children has significantly increased in all countries except Hungary and Poland. In Romania, total fertility rates *decreased* from just above replacement level<sup>9</sup> in 1989 to only 1.3 children per woman in 1998. Meanwhile, abandonment rates for children age 0-3 years *increased* from 600 per 100,000 to over 800 per 100,000 from 1990 to 1998.

Similarly, from 1990 to 1998, data from 10 counties reveal a 55% decrease in the total number of children age 0-2 years and only a 21% decrease in the number of children age 0-2 years in the *leagans*. In short, the absolute number of abandoned children has decreased only slightly over the decade, while the total number of children exposed to risk is shrinking faster, resulting in higher abandonment rates.<sup>10</sup>

<sup>9</sup> A total fertility rate (TFR) of 2.1 is the theoretical number of children per woman necessary for the population to "replace" itself, without increasing or decreasing.

<sup>10</sup> A rate is defined as the number of *events* in a given time period divided by the number *exposed to risk* (or risk pool). In this scenario, the *events* in the numerator are the number of children age 0-2 years in *leagans* in 10 counties. The *exposed to risk* in the denominator is simply the total number of children in the same age group and in the same counties.

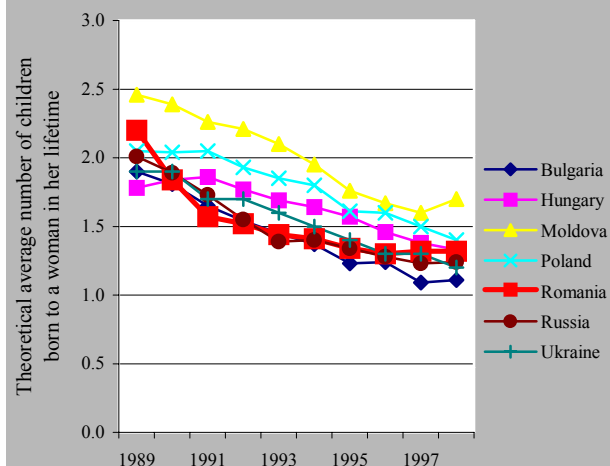
### Even "wanted births" are abandoned?

The relationship between falling birth rates and rising abandonment rates seems at first counterintuitive--but not when taken in the context of Romania's worsening economic and social instability. That is, a woman may be in a predicament where she decides to abandon an infant that she had desired at birth.<sup>11</sup> Some time later, however, she may be faced with financial insecurity or lack of family support and decide that it is not possible to raise the infant at home.

Data lend support to this conjecture. For the period 1997 to 2000, the average median age of a child's entry in *leagan* in 10 counties is about 7 months, suggesting that most children are abandoned several months after being born. Furthermore, data from *leagans* in 10 counties point to the two most common reasons a child is abandoned: lack of material resources and being a single mother. The share of births to single mothers has risen over the period of transition, from about 17% to 23% from 1993 to 1998 (UNICEF, 2000).

Figure 3. Total fertility rates in 7 Central and Eastern European transition countries, 1989-1998

Regional fertility rates fall well below replacement level over the transition period



Source: UNICEF TransMONEE Project (2000).

<sup>11</sup> In the 5-year period 1994-1995, only 3.7% of live births were reported unwanted, 8.1% were mis-timed (CDC, 2001).

## Conceptual Framework

Every newborn infant and young child is exposed to complex risks of being orphaned or abandoned. Strictly speaking, most institutionalized children in Romania are not true orphans; they are “social orphans”. That is, most children in *leagans* have been abandoned to state institutions by living parents, and many maintain contact with their family. In 1996, for instance, only about 2% of children in *leagans* had neither parent living while about half maintained contact with their family (DPC-EU/PHARE, 1997).

Some children are exposed to more risk factors than others. The Conceptual Model shown in Figure 4 presents an array of risk factors postulated to influence a child's chance of being abandoned. The first risk factor, for example, is Alternatives to institutionalization. It is hypothesized that children born in a county where there are few alternatives to institutionalization have a higher chance of being abandoned. Figure 4a illustrates this relationship by comparing average abandonment rates in 3 USAID pilot counties vs. average abandonment rates in 7 other counties. (USAID implements programs aimed at lowering abandonment rates, e.g., maternal shelters, parental education, home-based counseling, etc.) Indeed, the rates of abandonment for children age 0-2 years in USAID counties are consistently 13-43% lower than average rates in 7 other counties.

### Risk factors *push* and *pull* infants from the natural family

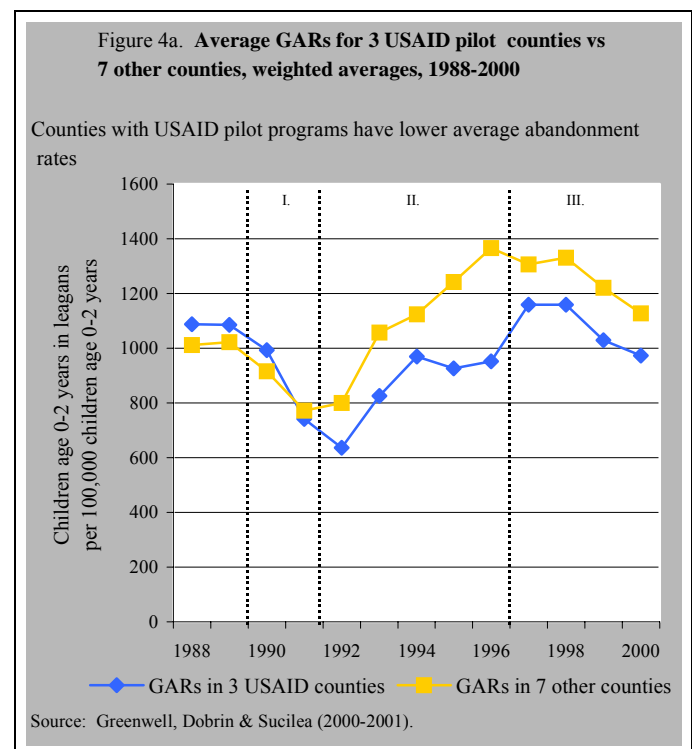
**Child abandonment.** When complex risk factors succeed in *pushing* or *pulling* a child away from the natural family, the child becomes a social orphan (Figure 4, top circle). Forces that threaten to *push* a child away from the family include weak family unity (e.g., divorce, single mother, unwanted or unplanned pregnancy), poor health status of a family member, financial stresses, etc.

Other risk factors work to *pull* a child into the institutional system. Institutionalization has been culturally embedded for over two decades. The ideological momentum behind a mammoth network of institutions has not been completely exhausted. Institutionalizing a child-- at least temporarily-- is still too often the most attractive solution when a family is not prepared to raise the child at home.

Support for families facing one or a combination of risk factors for abandoning a child implies opposing

the dividing forces by providing alternatives to institutionalization e.g., subsidized daycare, family support groups, education programs for teen mothers, etc.

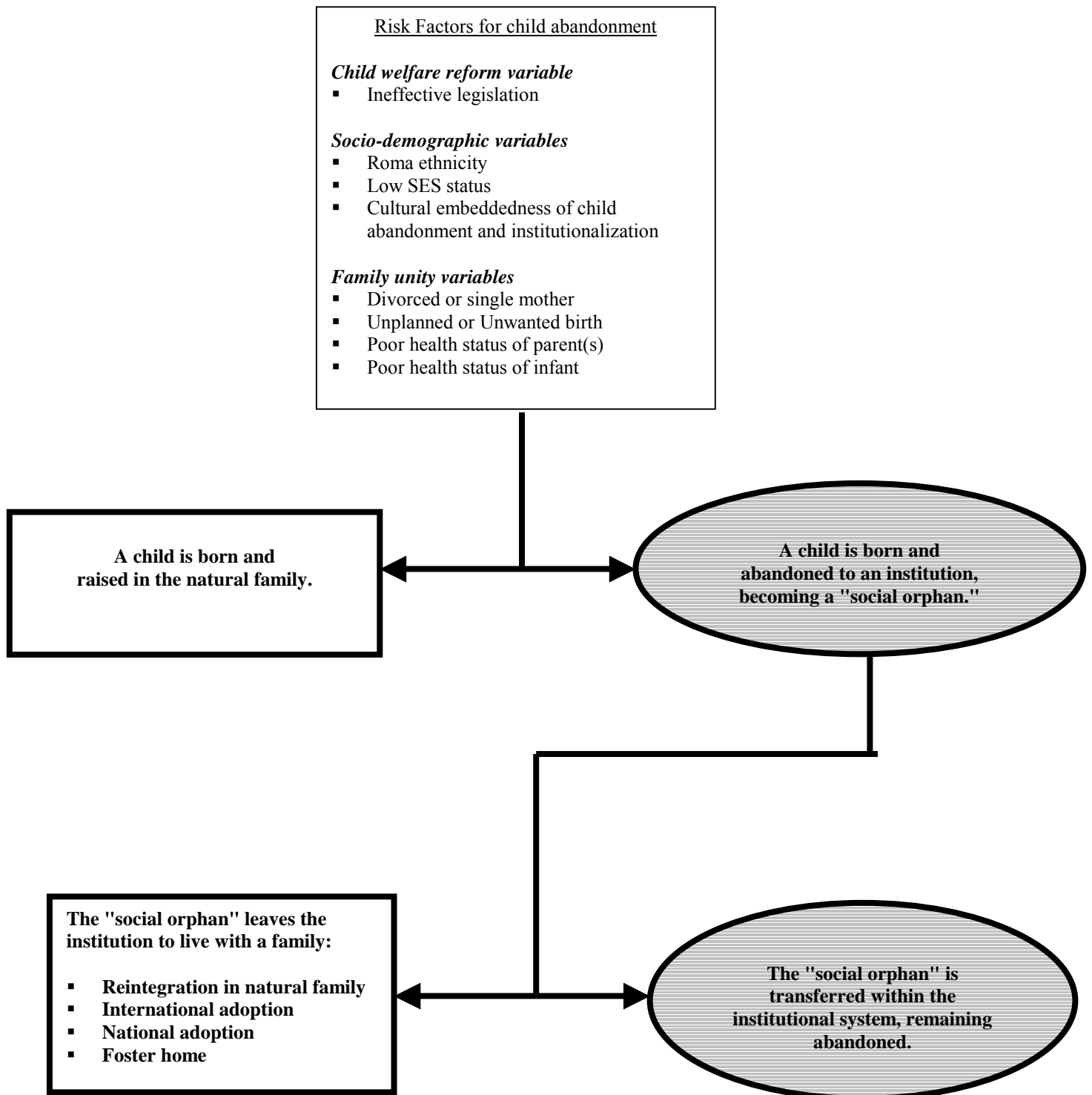
**De-institutionalization.** Figure 4 shows the two passages out for a child in an institution. In the bottom circle, the social orphan is **transferred** within the institutional system.<sup>12</sup> That is, the child remains in *leagan* until he or she 'ages out' and must move to an institution for pre-school children or children with special needs. In the bottom square, the preferable way out, the social orphan is **de-institutionalized**. That is, the child is either reunited with his or her natural family or else placed in an adoptive or foster family.



<sup>12</sup> Each residential care institution was designated for a specific category of children, depending on their age and mental and physical capacity to be productive. Responsibilities for institutions were fragmented among ministries of health, education and labor. The Ministry of Health oversaw the *leagans*.



**Figure 4. The Conceptual Model  
Underlying the Dynamics of Child  
Abandonment and De-  
institutionalization**



## Number of abandoned children

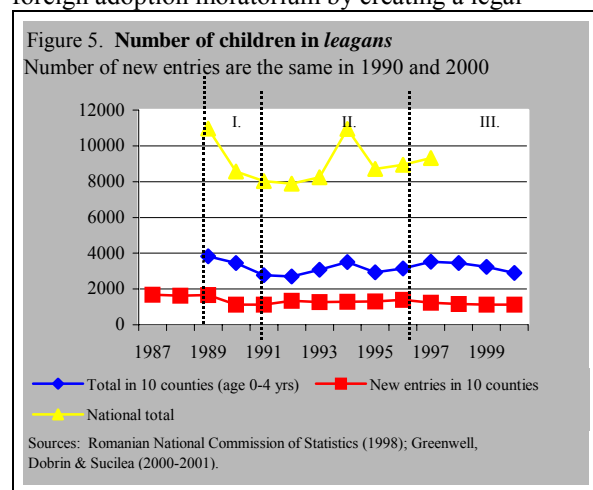
### Number of *new entries* is straight and level...

For almost three decades the State's unchanging child protection policy (Law no. 3/1970) promoted placing children in institutional care. This outmoded response of admitting children into large-scale institutions has been passively perpetuated into the transition period. Indeed, despite major legal and social reformations, the number of new entries in *leagans* in ten counties has remained virtually straight and level throughout the entire transition period, even increasing slightly in the mid-1990s (Figure 5).

### ... while the *total* number fluctuates

On the other hand, the total number<sup>13</sup> of children residing in the *leagans* the past decade has fluctuated. First, there is a **dip** in the Rapid reparation period (1990-1991) due to a nationwide exodus of young children to adoptive families abroad. After international criticism of a growing black-market for babies, the government abruptly halted international adoptions in July 1991. *Leagans* began to fill up again.

The distinct **peak** in the number of in 1994 represents a re-populating of *leagans* after 1991. In July 1993, Law no. 47/1993 marked an official end to the foreign adoption moratorium by creating a legal



<sup>13</sup> The "total number" of children residing in *leagans* is the number of children age 0-4 years in *leagans* in 10 counties at mid-year (July 1). Children age 5 years and older represent another 6.4% of children in *leagans* but were not included in this count.

### Government strategy concerning the child in difficulty (2001-2004) aims for:

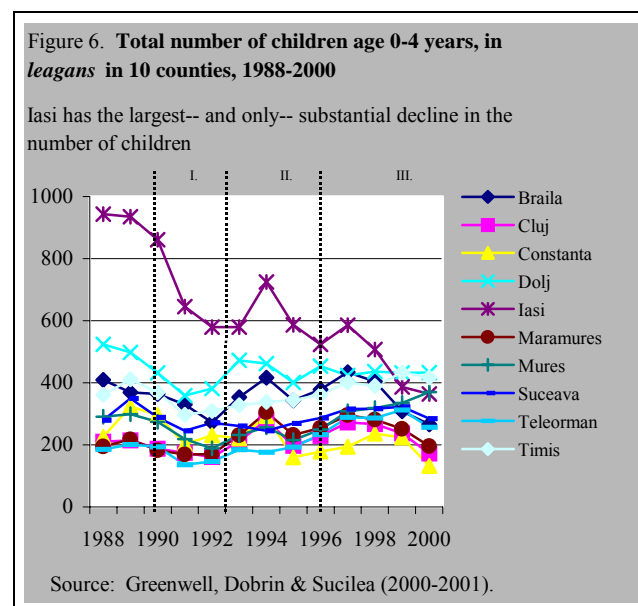
"...a decrease in the number of institutionalized children";

*Expected result (b)*

definition of abandonment. Children were to be declared legally abandoned if they had had no contact with a family member for at least 6 months. A wave of abandoned children suddenly became available and was placed in adoptive or foster families.

Finally, during the Real reform period (1997-2000), the total number of children in the *leagans* deviates again from the flat plateau of new entries. Reforms in this period stimulate more alternatives to institutionalization and result in a modest but definite **drop** in the number of children, from 3519 to 2893.

Figure 6 shows a breakdown of the annual number of children residing in *leagans* in 10 counties. Iași stands out as a unique county for two reasons. First, for most of the period it had the greatest number of institutionalized children. Second, it is the only county in the sample where the number has significantly dropped by almost half-- 943 children age 0-4 years in 1988 fell to 507 children age 0-4 years in 1998. The dramatic drop in numbers after 1997 can at least partially be attributed to the closing of three *leagans* in the county.



## Rates of Abandonment

Absolute numbers of institutionalized children provide a quantifiable magnitude particularly useful for planning interventions. Abandonment *rates*, on the other hand, disclose a rise and fall of the tides relative to the risk pool (see footnote 10). This means of standardization is a more accurate gauge of social transformation. Figure 7 compares a general abandonment rate (GAR) for children age 0-2 years, and an infant abandonment rate (IAR) for children less than one year.<sup>14</sup>

Figure 7 reveals that general abandonment rates from 1993 to 1998 were actually higher than GARs in the Pre-reform period. Prior to 1990, for *leagans* in 10 counties, there were about 1,050 per 100,000 children age 0-2 years placed in a *leagan*. By 1998 the rate had increased to 1,250 per 100,000 children age 0-2 years. In 2000 GARs had settled back to the Pre-reform level. Since the number of new children entering *leagans* has remained virtually unchanged, the proportional increase is mainly due to a smaller risk pool.

Except briefly in 1992, the GARs run parallel to and are higher than IARs before and throughout the transition period. The reason is not entirely clear why the rates are higher for children age 0-2 years than for children under one year. Higher GARs indicate that children are more frequently abandoned after one year (or kept in a maternity for over one year?). This pattern supports the conjecture made earlier that more children are abandoned due to household stresses that may not be an issue at birth.

In Figure 8, most counties begin to show improvements in abandonment rates during the Real reform period (1997-2000). Brăila had the highest GARs during the first two reform periods and made remarkable progress after rates peaked in 1997: abandonment rates for children age 0-2 years dropped from 3000 per 100,000 down to 1,500 per 100,000 in 2000 (when safe the average GAR for the 10 counties

<sup>14</sup> The "general abandonment rate" is the proportion of children age 0-2 years who have resided in a *leagan* (in a given county and time period) per 100,000 children age 0-2 years in the same county for the same period. Likewise, the "infant abandonment rate", analogous to the infant mortality rate, is the proportion of children under one year who have resided in a *leagan* per 100,000 infants less than one year in the county.

### Government strategy concerning the child in difficulty (2001-2004) aims for:

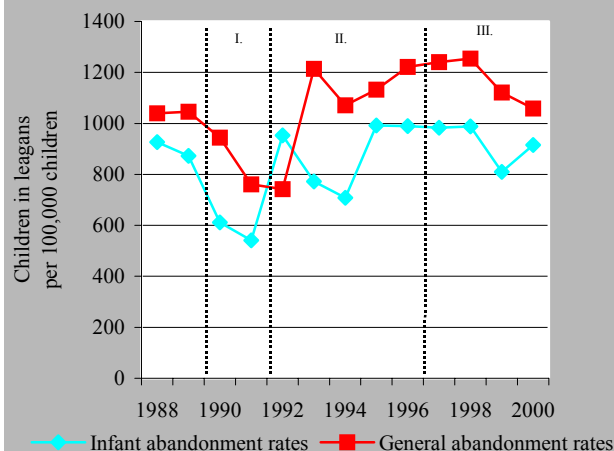
"...a decrease in the abandonment rate of children by their own parents";

*Expected result (a)*

is 1,100 per 100,000). Only Timiș and Mureș show worsening GARs in the Real reform period.

Figure 7. Average abandonment rates, in *leagans* in 10 counties, 1988-2000

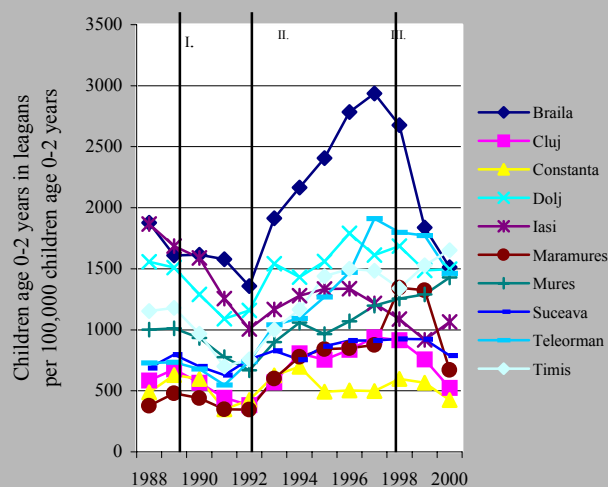
Abandonment rates for young children are higher than for infants



Source: Greenwell, Dobrin & Sucilea (2000-2001).

Figure 8. General abandonment rates, in *leagans* in 10 counties, 1988-2000

Braila's average abandonment rates doubled from 1992 to 1997, then dropped sharply



Source: Greenwell, Dobrin & Sucilea (2000-2001).

## Children's tenure in *leagans*

Securing a safe family environment for children in difficulty lies at the foundation of child protection strategies. Although material conditions and staffing in most institutions in Romania have improved substantially, they cannot provide the natural stimulation that a family does. Child protection authorities in Romania, and hopefully all parents, realize that the *less* time a child spends in an institutionalization the *less* likely his or her development will be delayed.

Tenure is the average number of months that a child spends in an institution. It is counted starting on the day of entry in the *leagan* until the day the child is either placed in a family or is transferred to another institution.

Figure 9 shows tenure time for *leagans* in 10 counties for each reform period. During the Re-organization period (1992-1996), in every county except Suceava and Dolj, children stayed in *leagans* longer than the other periods. This is not surprising since this period is characterized by lack of coordination regarding child welfare reform. For the same period, data show those children in Cluj, Constanta and Iasi *leagans* stayed longer than in most other counties, but also had sizable percentage decreases in tenure (26%, 44% and 53%, respectively) in the Real reform period (1997-2000).

Similarly, except for Timiș, tenure was shorter during the Rapid reparation period (1990-1991). This finding is expected since many children were adopted at young ages from *leagans*-- as well as directly from families-- in 1990 and 1991.

## Tenure is associated with destination

A shorter average tenure is associated with a larger proportion of children leaving a *leagan* to live with families. Table 1 shows overall average (median)

Table 1. Median number of years that children spend in *leagans* in 10 counties, before being placed in a family or transferred to another institution, 1987-2000.

	International Adoption	National Adoption	Reintegration	Foster family	Transfer to other institution
Median years	1.62	1.07	0.80	1.13	2.85

Source: Greenwell, Dobrin & Sucilea (2000-2001).

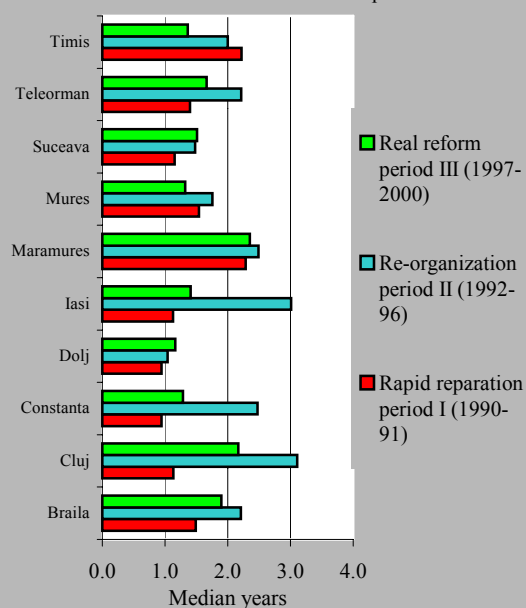
### Government strategy concerning the child in difficulty (2001-2004) aims for:

"... a decrease in the length of stay of children in residential care institutions";

*Expected result (f)*

Figure 9. Average time a child spends in a leagan, in three reform periods

Tenure time reduced 37% in the Real reform period



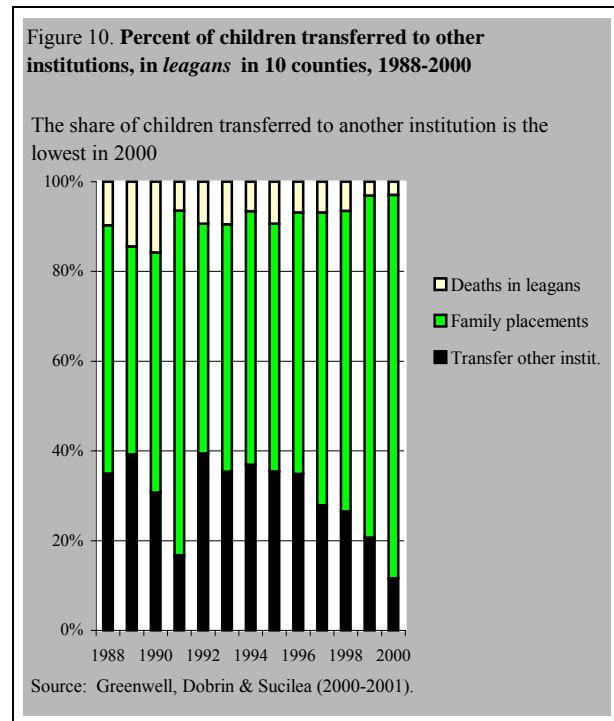
Source: Greenwell, Dobrin & Sucilea (2000-2001).

## Children transferred within the institutional system

In the "classic" protection system, children were often transferred within the system of state-run residential care institutions. Reform measures are intended to reverse this trend. Fewer children should, for instance, be transferred from *leagans* to pre-school residential institutions or to institutions for the mentally or physically deficient children. Conversely, more children should be placed in families.

### Smaller percentage of children transferred to other institutions

During the Rapid reparation period (1990-1991), in *leagans* in 10 counties, the percentage of children transferred to another institution decreased by more than half from 1989 to 1990 (39% to 17%, respectively). But ostensible success was fleeting. When the tidal wave of foreign adoptions receded, a greater number of children, for lack of other options, were again transferred to other institutions. By 1992 the share transferred to another institution was back to pre-reform levels (Figure 10).



During the Re-organization period (1992-1996) the number of children transferred to other institutions is steady between 35-40%. Distinct declines do not occur until the Real reform period (1997-2000). By 2000, the smallest percentage of children in all the years-- only about 12% --is transferred to another institution.

The measure of success is enhanced when the dwindling proportion of infant deaths in *leagans* is taken into account. In 1999 and 2000 the number of deaths under age one year represent about 3% of the children in *leagans*-- down from 7-10% earlier in the decade.<sup>15</sup>

#### ***Government strategy concerning the child in difficulty (2001-2004) aims for:***

"... an increase in the number of alternative services offered to children in difficulty, as against the number of "classic" protection institutions";

*Expected result (e)*

<sup>15</sup> Infant mortality rates in *leagans* in the 10 counties ranged from 66 per 1,000 (1990) to 32 per 1,000 (2000). In comparison, IMRs in the general population ranged from 27 per 1,000 (1990) to 20 per 1,000 (2000).

## Number of new entries versus family placements

### Child welfare reform: a two-pronged approach

The number of children in institutions is a result of a flow comprised of two events: First, the number of children *flowing into* the institution, and second, the number of children *flowing out* of the institution into a family setting. Achieving child welfare reform goals thus calls for a two-pronged approach: One, strategies to decrease the flow of children into institutions, and two, strategies to increase the flow out of institutions into family environments. The real challenge in accomplishing the goal is to do so *in the best interest of the child*.

The paths in Figure 11 represent the flow of children into and out of the *leagan*. Data from *leagans* in 10 counties show that the number of children entering the institution has been substantially higher than the number of children leaving for family placements for most of the transition decade. The first tendency towards convergence between the number of entries and number of family placements was during the Rapid reparation period (1990-1991). In this period, trends show a dramatic decline in the number of entries and a simultaneous climactic rise in the number of family placements. Both paths hastened to converge at about 1,000 children flowing in and about the same number flowing out. The children flowing out were mainly due to foreigners racing to adopt Romanian children. Gains were ultimately insignificant, however. The sudden but temporary decrease in the number of children in institutions was due to external pressures for foreign adoptions rather than long-term reforms made in the best interest of the child. The paths polarized again as soon as the uncontrolled adoption frenzy stopped short after July 1991.

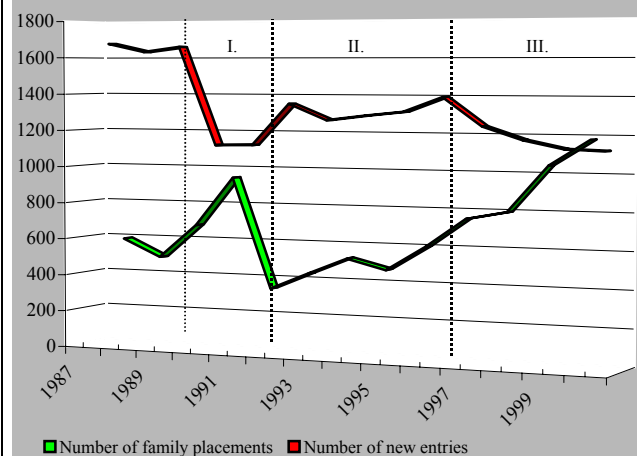
Throughout the Re-organization period (1992-1996), conflicting legislation and other factors paralyzed further achievements towards reform. The polarized paths running parallel to each other in this period represent the persistence of new entries and stagnation in family placements.

By 1997, authentic child welfare reform measures are on course. During the Real reform period (1997-2000), the trend toward convergence is slower but more resolute than in Rapid reparation period. The growing number of children leaving the institution

ascends steadily to meet the more sluggish downward slope of new entries. In 2000, the paths finally cross each other. For the first time, the number of children flowing out is heavier than the number of children flowing in.

Figure 11. Number of children entering a *leagan* and number of children in *leagans* placed in a family, children age 0-4 years in *leagans* in 10 counties, 1987-2000

Finally in 2000 the number of family placements exceeds the number



Source: Greenwell, Dobrin & Sucilea (2000-2001).

## Family placement destinations

The main principles of de-institutionalization are straightforward and widely accepted (Groza & Rosenberg, 1999):

- **It is better** for a child to grow up in a family than an institution.
- **It is better** for a child to remain in his or her biological family, if it is in the child's best interest.
- If a child cannot be raised in the biological family, **it is better** to secure a permanent home rather than a series of temporary family placements.
- If adoption must be substituted for the biological home, **it is better** for a child to remain in his or her country of origin

### Reintegration is the best and *fastest* way (to a) home

Reintegration with the natural family is the best family placement option, given that it is in the best interest of the child. It is also the fastest alternative relative to any other destination. On average, in *leagans* in 10 counties, the median length of time children spend in a *leagan* until they are reintegrated with their family is about 10 months (see Table 1).

The rate of reintegration is higher than any other exit rate throughout the transition decade. During the Rapid reparation period (1990-1991), the rate of children reintegrated with natural families jumped to the highest rate of all years between 1987 and 2000--18 per 100 children age 0-4 years in *leagans* (Figure 12). The temporary rise in reintegration rates corresponds with the rush of foreign adoptions. Children living in a *leagan* were retrieved by their family either because the family feared the child would be adopted without their consent, or, the family decided-- freely or under financial coercion-- to offer their child to a foreign adoptive family through private channels.

*Government strategy concerning the child in difficulty (2001-2004) aims for:*

"...a progressive increase in the share of children protected by alternative forms of services and family-type institutions, or who are reintegrated into their own families, as against the protection granted in residential care institutions";

*Expected result (d)*

### Stable rates, shifting destinations

Figure 12 also shows that the rate of children transferred to another institution has tapered off significantly during the Real reform period (1997-2000). In the same period, the rates of children leaving *leagans* to join an adoptive or foster family have increased.

What is not obvious from looking at the exit rates is that, since 1992, the rates of reintegration have clearly remained in the limits of 11 to 13 per 100 children in the *leagan*, but the share of children leaving the *leagan* to rejoin their family has significantly decreased. This is explained by an increasing number of children being placed in adoptive or foster families, while only about the same number of children are leaving to rejoin their biological families. Table 2 reveals that of all children leaving *leagans* in 10 counties, the share of children reintegrated in their family has dropped from the established 40-50% range from 1990 to 1998, down to less than a quarter of all children in 2000. In the Real reform period, a smaller share of children is rejoining their natural family while a larger share is destined for international adoptions and foster family placements.

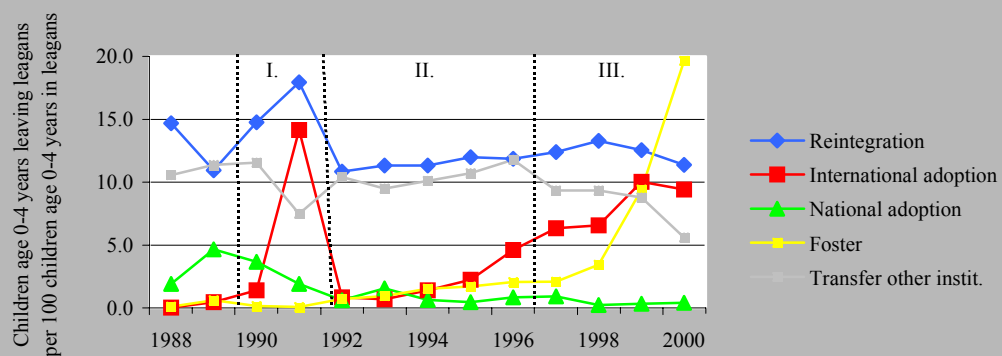
Table 2. **Percent of children reintegrated with their natural family decreases in 1999-2000.**

	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000
Reintegrated with natural family	47%	43%	46%	47%	45%	44%	38%	40%	40%	30%	24%

Source: Greenwell, Dobrin & Sucilea (2000-2001).

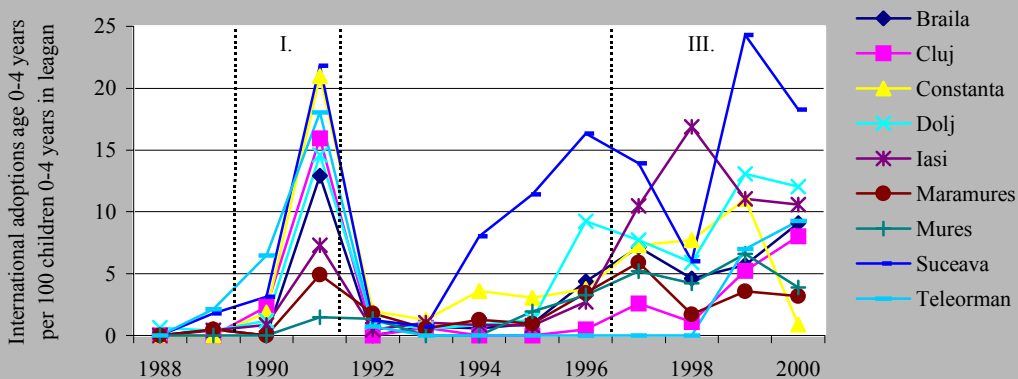


Figure 12. Rates of children age 0-4 years leaving *leagans* for 5 destinations, in *leagans* in 10 counties, 1988-2000



Source: Greenwell, Dobrin & Sucilea (2000-2001).

Figure 13. International adoption rates for children age 0-4 years, in *leagans* in 10 counties, 1988-2000



Source: Greenwell, Dobrin & Sucilea (2000-2001).



## International adoptions

International adoptions have been a major family placement destination for Romania's institutionalized children. Much of reform period legislation has revolved around streamlining complex bureaucratic procedures to ensure that foreign adoptions are ethical and timely. As it stands, a child destined to join a foreign adoptive family spends about 1.6 years in a *leagan*, the highest median tenure of all family placement destinations (see Table 1).

International adoption rates have varied more across the reform periods than any other destination. On average, international adoptions accounted for less than 1 child per 100 children in *leagans* prior to 1990, when presidential approval was required for foreign adoptions. Law no. 11/1990 overturned pre-reform restrictions and liberalized foreign adoptions. The law had immediate results as seen in enlivened rates across the country. Suceava, for example, had in 1991 the highest rate of all 10 counties in the sample: 22 children per 100 children in the *leagan* were adopted abroad (Figure 13).

The July 1991 moratorium on foreign adoptions, Law 48/1991, was a radical measure to abruptly halt the unchecked flow of children out of the country. During the Re-organization period (1992-1996), laws were gradually passed to facilitate international adoptions in a more controlled manner. National bodies were formed-- or reformed, in the case of the Romanian Adoption Committee-- to monitor the status of children available for adoption. Gradually bureaucratic channels were simplified so that after 1994 numbers of international adoptions began rising again.

**Government strategy concerning the child in difficulty (2001-2004) aims for:**

"...developing transparent and correct practices concerning adoption, that can directly serve the best interests of the child, and do not allow the raising of inappropriate profits from that activity";

*Expected result (n)*

### Have procedures for international adoptions become *too* efficient?

According to the Convention on the Rights of the Child, "...inter-country adoption may be considered an alternative means of child care, if the child... *cannot in any suitable manner be cared for in the child's country of origin* (Article 21b)".

In the Real reform period (1997-2000), average international adoption rates are approaching those in the Rapid reparation period (see Figure 12). The growing percentage of international adoptions compared to national adoptions indicates that foreign adoptions are happening to the exclusion of national adoptions (Table 3).

Table 3. **By 2000, international adoptions almost totally eclipse national adoptions.**

	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000
% inter-country adoptions	2.8	9.2	28.0	88.1	57.5	30.4	68.5	82.5	84.9	87.5	96.6	96.7	95.8

Source: Greenwell, Dobrin & Sucilea, 2000-2001.

## National Adoptions

The Convention on the Rights of the Child upholds national adoptions: "...When considering solutions, due regard shall be paid to the desirability of continuity in a child's upbringing and to the child's ethnic, religious, cultural and linguistic background (*Article 20 (b)*).

Nevertheless, national adoptions have been an underused alternative for most of the transition decade. Legislation passed in the Real reform period (1997-2000), namely Emergency Ordinance no. 26/1997 and Law no. 87/1998, provides the legal framework to promote in-country adoptions.

There do exist obstinate obstacles to increasing the number of national adoptions. One obstacle is transition poverty. Widespread poverty decreases the demand for children. Low birthrates and the on-going abandonment of children is further evidence of a weak demand for children. Another obstacle is that institutionalized children are believed to be overwhelmingly of Roma origin (Fonseca 1995, Kligman 1998). Negative attitudes toward this minority make it difficult to find family placements in Romanian families.

However, once a Romanian adoptive family is identified, the adoption process happens much faster than for international adoptions. For *leagans* in 10 counties, the average number of months a child spends in a *leagan* before being adopted nationally is 1 year-- compared to about 1.6 years for children adopted internationally (see [Table 1](#)).

### National adoption rates inversely related to international adoption rates

Data from *leagans* in 10 counties show that since 1992 Romanian families adopted, on average, only 1 or 2 children per 100 in the *leagans* (see [Fig. 12](#)). As international adoptions and temporary placements in foster families become more prevalent, the share of national adoptions declines (see [Table 3](#)).

This trend is robust. [Figure 14](#) shows that Teleorman, for instance, has significantly high national adoption rates in the Re-organization period (1992-1996). As international adoption rates begin increasing in the Real reform period (1997-2000), the national adoptions quickly bottom out. This negative

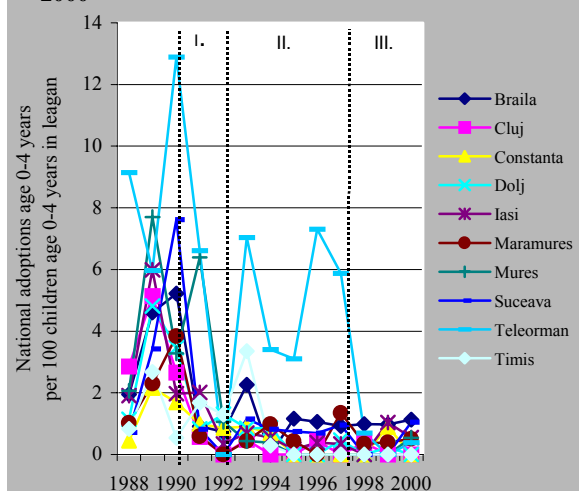
### Government strategy concerning the child in difficulty (2001-2004) aims for:

"...adopting legislative and media-related measures that can lead to an increase in the number of national adoptions... stimulating the potential for adoption in Romania, in order to increase the number of couples who adopt children in difficulty";

*Expected result (n)*

association is true for other counties also, starting after the rise of international adoptions in 1994.

Figure 14. National adoption rates for children age 0-4 years, in *leagans* in 10 counties, 1988-2000



Source: Greenwell, Dobrin & Sucilea (2000-2001).

## Placements in foster families

Although foster families have always existed informally, the official mechanism for placement of children in foster families was not well developed until after 1997. With the growing social work force since 1992, and a measure of assistance from international experts, foster care has evolved into a popular alternative to institutionalization. Romanian foster parents are being trained professionally to take on the role of temporary child custodian, or *asistent maternal*.

### A well-developed--or overused--alternative?

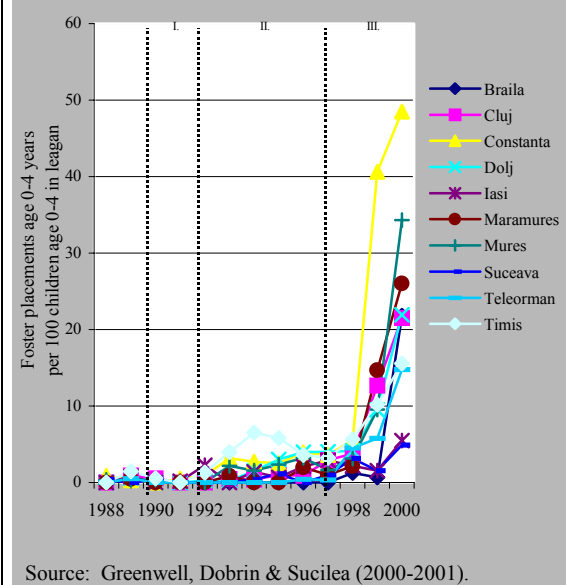
The results of well-coordinated efforts are visible in the skyrocketing rates of foster family placements. Data from *leagans* in 10 counties all show an increase in foster placements after 1997, and for most it is substantial. On average, rates rose from less than 1 per 100 children in *leagans* in 1997 to about 20 per 100 in 2000 (see Fig. 12).

Figure 15 shows the variation of foster care rates between the 10 counties. Constanța has the highest rate of foster family placements (almost 50 per 100 children in *leagans*), followed by Maramureș (26 per 100 children) and then Dolj, Cluj and Brâila (all with about 22 per 100 children). Iași and Suceava have the lowest rates (about 5 per 100 children).

Foster care is generally a preferable alternative to institutionalization. However, because it does not provide a permanent home for the child it must be weighed seriously with other more stable solutions. Its potential as a short-term family placement is best maximized for children who are expected to be reunited with their natural family, or adopted. In the U.S., although too many children have the traumatic experience of drifting from foster home to foster home, approximately two-thirds are reunified with their families (Pecora *et al.* 1992).

From the data available in this study it cannot be ascertained how long children spend in the foster family, or what happens to them when they leave the foster family. It is known, however, that like national adoptions the average tenure of a child in a *leagan* who is placed in a foster home is about 1 year. This is a significantly shorter than the average tenure of a child destined for an international adoption or transfer to another institution (see Table 1).

Figure 15. Rates of children placed in foster families age 0-4 years, in *leagans* in 10 counties, 1988-2000



## Afterword

Excessive numbers of abandoned children in large-scale institutions was inherited from the communist's pro-natalist regime (1966-1989). At the dawn of the transition period there were about 11,000 children residing in *leagans*. The aftermath of communist misruling has left new leaders with political and social instability as well as pervasive transition poverty. These factors, among others, have perpetuated high levels of child abandonment throughout the transition period.

The Government of Romania, working closely with the international community, has reformed child welfare legislation in order to reduce the number of children in institutions. The first main strategy is to decrease the number of abandoned children by offering families alternatives to abandonment. The second strategy is to decrease the number of children already living in institutions by placing them in families. The results so far have been mixed.

Despite fertility levels dropping to below replacement level (from 2.2 in 1989 to 1.3 in the mid-1990s), the number of children entering *leagans* remained about the same or even slightly more between 1992 and 1997. In 2000 the number of children entering *leagans* in 10 counties was the same number as in 1990. The fact that roughly the same number of children entered *leagans* in the transition period while fewer were being born means that children have been at greater risk of being abandoned during the transition period than before 1990.

The second strategy to reduce the number of children in institutions is to promote "de-institutionalization". De-institutionalization means reintegrating children with their natural family or placing them in a foster or adoptive home. Child welfare reform efforts have made a greater impact on moving children out of institutions than preventing children from entering institutions. In particular, legislation has facilitated high rates of international adoptions in 1990-1991, and again in the second half of the decade. It has also promoted professional foster parents as a temporary alternative to institutionalization.

Based on the findings in this report, two conclusions can readily be drawn. First, child abandonment levels in Romania are still disturbingly high. Second, while there has been improvement with regards to moving children out of *leagans* and into families, the focus needs to be on permanent

solutions rather than temporary placements in foster families. As social conditions improve, national adoptions need to start replacing international adoptions.

Data clearly show that Romania's child welfare reforms *do* impact children's chances to be raised in a family. The impact of reforms need to be sustained and in the best interest of each child.

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